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**CONFERENCE REPORT ON H.R. 4837, MILITARY CONSTRUCTION APPROPRIATIONS
ACT, 2005**

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

October 9, 2004

Mr. Speaker, in the main, I have no real objections to almost all of the provisions in this bill. I would note with respect to the drought aid for farmers and the disaster relief for States, those two items were like the tail on the dog. Originally they were attached to one appropriation bill, and now they have come back here today and the tail is attached to a different dog. I would like to make a few comments about that, because I do not think much of the process that has been followed.

This drought and disaster package was originally going to be folded into the Homeland Security appropriations bill.

The minority had doubts about that. We had preferred to have that package handled separately so that Homeland Security could be handled separately without any attendant baubles and bells and whistles being attached. But in the interest of time, the majority decided it would be better to fold it into another bill, and we cooperated in that process.

But then some very strange things happened. First of all, an offset was adopted. After much objection being raised by the conservative members of the majority party caucus, a pretend offset to the drought aid cost was attached to this bill, and that offset does not really offset the money in this bill until 2014. So it is a very interesting pretend operation.

The gentleman from Florida tried to handle that in a straightforward way, but people who thought they knew better insisted that they go through this Rube Goldberg approach, so we have a "let's pretend" budget savings item in this bill.

There is another problem, because when the decision was made to, as the gentleman from Texas (Mr. Stenholm) indicated, essentially amend the farm bill in dealing with these issues, then that raised other concerns on the part of other farmers around the country. Because of that, Senator Kohl from my own State had been asking that the problems of dairy farmers be dealt with by extending the milk income support program. The Senate adopted that amendment in conference and presented it to the House conferees. We had the votes for that provision on the House side of the conference, but rather than allow us to have a vote on the issue, the chairman gaveled the conference to a close.

We then saw a Kabuki dance engaged in by the President and various Members of this House. The same day that that conference was being considered, the President said in a speech in my hometown, Wausau, Wisconsin, that he was in support of the content of the Kohl amendment to extend the milk program. Given that fact, the conference had every right to expect that the White House would be supporting what we were trying to do. But when we called down to the White House to ask whether or not they would be sending a letter in support of the amendment that had been presented to us by the Senate, the White House indicated that no support would be forthcoming, no letter would be forthcoming. Nonetheless, we tried to work with the majority, and late Thursday night, I was asked to sign a conference report based on the understanding that certain items would be in the bill and certain items would not be.

One of the items that was supposed to be in that bill was this provision, since we had the votes for it on both sides of the conference. And I signed the conference report.

The next morning when I returned to the Hill, we saw that a different judgment had been reached by the House leadership, and we were told that the Speaker and the majority whip said, “No way. That provision is not going to be included in this bill.”

What we have had, in my view, is the President talking one way in Wisconsin on this subject and his principal political allies are, at the same time, deep-sixing our efforts to try to pass what the President said he supported. When we asked the White House for some help to deal with it, they respectfully said “no.”

So now we have a situation in which agriculture, as a sector in the budget, will suffer a long-term problem, because when this program expires, it means that the entire agriculture baseline budget will be \$800 million less than it would otherwise be, and that will substantially disadvantage every farm group when the next farm bill is written.

I rise today not to talk about the fact that that individual program is not in this bill, because that really is less important than what this process has done to the House.

What we have seen is this: We remember when the majority leadership held a rollcall open for 3 hours because they did not get the results they wanted on the Medicare bill. They lost the vote so they simply kept the rollcall open until the House reversed its position.

What we saw in this case is, when it was apparent that we had the votes (because we had the support of two members of the Republican Party in this House), when it was seen that we did have the votes for that provision, the conference was simply adjourned and, lo and behold, the subject was then moved to another conference committee, and there we had a situation in which we did not have the votes in that subcommittee.

What that means is, what the leadership has decided is that there is going to be a new way of operating around here. If you go into a committee and you lose a vote, it doesn't matter, you just move the subject to another committee and have the vote in another committee.

It just seems to me that this is a fundamental corruption of the democratic process. It is a fundamental corruption of the legislative process. What it means is that no committee need bother to reach any judgments on anything because if the leadership does not like it, or if the White House does not like it, they will simply reverse the decision regardless of the votes in the committees.

What has happened in my view is that this House has become a wholly owned subsidiary of the White House. What has happened is that this Capitol is really the East Wing of the White

House. That is what it has become. No checks, no balances, no separate exercise of judgment or power. I would say that that is the most fundamental corruption of all that can occur in a legislative body.

Mr. Speaker, I wanted to make those points to simply point out my concerns for the way this institution is being run.

I also want to express regret that despite the President's words on the dairy problem when he was in dairy country, it is apparent that the White House had no intention of following through on those words, and I regret that, too. In spite of that, I will vote for this bill because it meets legitimate needs of the country, and I think we have no choice but to do it.

But this is a sorry way to do business. I know the gentleman from Florida is not responsible, but the leadership of this House is, and sooner or later we need to ask whether regular procedures will be returned to the floor of this House and whether or not democracy will once again be honored in this House.

We are trying to impress the people of Iraq that they should have a democratic process. At the same time we see the legislative process, which is supposed to be the defining measure of any democracy, profoundly corrupted by these procedural high jinks, and it does no great credit to the House to allow that to happen.

